

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

6 SEPTEMBER 2005

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers T. Dianne Bellamy-Small, Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, and Donald R. Vaughan. Absent: Councilmember Thomas M. Phillips, excused by action of Council. Also present were Mitchell Johnson, Interim City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Sylvia C. Ball, employee in the MIS Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Councilmember Gatten moved to excuse Councilmember Phillips from attendance at this meeting. The motion was seconded by Councilmember Johnson and adopted by voice vote of Council.

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Speakers from the floor were heard at this time.

Residents of the Forest Oaks area of Guilford County requested Council to waive its current City policy and provide sewer service to a shopping center at Liberty Road and Forest Oaks Drive that had experienced a failed sewer system; they offered their perceptions of the negative impact this would have on the businesses in the shopping center and the surrounding area; provided personal thoughts about the impact this failure could have on health and the economy; and offered information about the history and current status of the area. Speakers at the meeting who requested Council to reconsider the current City policy were; Heather and Brad Tolbert, residing at 5310 Liberty Road; Cindy Findley, residing at 4929 Warfield Drive; Cindy Farmer Wood, residing at 4809 Edinborough Road; Jimmy Horney, residing in Julian, NC; Elizabeth Roberts, residing at 5310-C Liberty Road; and Dan Rogers, residence unknown.

After lengthy discussion with regard to individual opinions and concerns with respect to this matter, the feasibility of providing these services to additional property in the Forest Oaks area, the status of the water and sewer agreement between the City and Guilford County, etc., Mayor Holliday requested that both the issue of the failed septic system on individual property and the overall issue of providing water and sewer to property beyond the area defined as Special District Forest Oaks be added to the October 25 briefing.

Jay Dodson, residing at 3115 Lodge Drive and representing a local swim team, expressed concern with respect to changing rules and policies related to the use of local swim facilities that had resulted in his team not being permitted to use the facilities. The City Attorney advised her staff would investigate the process involved

with the use of the pools and provide a report to Council. The Mayor requested Assistant City Manager Bob Morgan to talk with Mr. Dodson.

Mayor Holliday stated that he believed these types of issues should be heard by the Parks and Recreation Commission prior to coming to Council. Interim City Manager Johnson stated staff would explore ways to make changes and recommend to citizens that these issues be presented to the Commission before bringing them to Council.

Steve Showfety, representing Koury Corporation, expressed concern that staff was unable to grant an exception to City Code requirements with regard to the installation of a cul-de-sac in the Industrial District at South Elm Street and I-40 because of new floodway requirements applicable to Buffalo Creek. Interim City Manager Johnson advised that Assistant City Manager Morgan was exploring whether the staff had the ability to grant an exception. Mayor Holliday requested that Assistant City Manager Morgan provide a report to Council with regard to the concern and staff's response.

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After Mayor Holliday introduced a resolution honoring the memory of the late Genevieve Renea Tarpley Means, Councilmember Burroughs-White read the resolution into the minutes. After brief Council comments, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Gatten; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, and Vaughan. Noes: None.

194-05 RESOLUTION HONORING THE MEMORY OF THE LATE GENEVIEVE RENE TAPLEY MEANS

WHEREAS, the City Council and the people of Greensboro are greatly saddened by the death of Genevieve Renea Tarpley Means on July 29, 2005 and wish to express their great sense of loss and respect;

WHEREAS, Ms. Means attended James B. Dudley High School and started her career as a nurse's assistant and later expanded her career in medical records;

WHEREAS, while employed by North Carolina A&T State University, she volunteered for Girl Scouts in the Morningside Homes Community;

WHEREAS, for over 25 years her heart and soul was scouting in the Greensboro Housing Area as well as scattered sites in High Point where she always thought of the girls as her extended family;

WHEREAS, she received many awards and was recognized throughout her community for her dedication, loyalty, honesty and concerns;

WHEREAS, the City Council wishes to express its sense of loss and its appreciation for the years of dedicated service rendered by Genevieve Renea Tarpley Means.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the people of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Genevieve Renea Tarpley Means.
2. That a copy of this resolution shall be delivered to the family of Genevieve Renea Tarpley Means as a symbol of the gratitude of the people of Greensboro.

(Signed) Claudette Burroughs-White

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After Mayor Holliday introduced a resolution honoring the memory of the late Nancy Young Lee, Councilmember Johnson read the resolution into the minutes. After brief Council comments, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None. Councilmember Johnson presented copies of the resolution to members of Ms. Lee's family who were present in the Chamber.

195-05 RESOLUTION HONORING THE MEMORY OF THE LATE NANCY YOUNG LEE

WHEREAS, on July 15, 2005, this community lost one of its leaders with the death of Nancy Young Lee, at the age of 81;

WHEREAS, Ms. Lee was a lifelong resident of Greensboro where she received her early education at Palmer Memorial Institute and James B. Dudley High School;

WHEREAS, later she went on to receive a Bachelor's degree from Bennett College and a Masters degree from North Carolina A&T University and became a teacher in the Greensboro Public School System for numerous years;

WHEREAS, some of the community groups Nancy was a member of include, Greensboro Alumnae Chapter Delta Sigma Theta Sorority, Inc., The Greensboro Chapter of Links, Inc., Bennett College Alumnae Association and The Barristers' Wives;

WHEREAS, Ms. Lee served on the Deacon Board of St. James Presbyterian Church where she was a member for over sixty years;

WHEREAS, the City Council wishes to express its sense of loss and its appreciation for the years of dedicated service rendered by Nancy Young Lee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the people of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Nancy Young Lee.
2. That a copy of this resolution shall be delivered to the family of Nancy Young Lee as a symbol of the gratitude of the people of Greensboro.

(Signed) Yvonne J. Johnson

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After brief comments with regard to ongoing activities, Councilmember Johnson requested that the update on status of substandard housing be continued to the October 4, 2005 City Council meeting. Councilmember Burroughs-White moved to continue the item as requested by Councilmember Johnson. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits—located at 1717 Guilford College Road—8.654 acres. He thereupon introduced so these matters could be discussed together an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning Conditional District—RM-8 Residential Multifamily for property located on the east side of Guilford College Road between Jaykat Lane and Gardner Lane.

He noted that the original zoning request had received a 6-1 vote by the Zoning Commission to recommend denial of the proposed zoning.

Richard “Dick” Hails, Planning Department Director reviewed the request and presented a map and photographs of the site and surrounding property. He reviewed the conditions contained in the proposed ordinance, stated that the Zoning Commission was concerned that the applicant had not attended the Zoning Commission meeting and had recommended denial of the original zoning, and that the Planning Department recommended approval of the proposed zoning.

The Mayor asked if anyone wished to speak to these matters.

Barry Segal, residing at 3411-D West Wendover Avenue, explained that he had served on jury duty and was unable to attend the Zoning Commission meeting. He spoke in favor of the annexation and zoning, detailed the request and proposed development of the property, read the conditions contained in the proposed ordinance, and spoke to the shape of the property and other development limitations. Mr. Segal stated that a preliminary site plan had been offered that addressed City concerns and the needs for the site, including roadway improvements that would impact this property and the Greensboro Department of Transportation’s request that the developer construct the first portion of the roads.

Robert Spillers, residing at 6015 Jaykat Lane, spoke in opposition to the annexation and zoning. He advised that he was unaware of the type of development being proposed until this meeting and stated it was his opinion that the proposed development would not compatible with other area development and would devalue area properties. In response to the Mayor’s inquiry, Mr. Spillers stated no neighborhood meetings had been held.

Michael McLaughlin, residing at 6001 Jaykat Lane and owner of property at 6002 Jaykat Lane, spoke in opposition to the development, stated that he had not been information of the details about the proposed development, and noted that a lot of development was ongoing in the area. Expressing concern with potential roadway extensions in the area, the impact this development would have on the value of his property and the location of the development in relation to his home, he requested Council to delay the annexation and development until he had more details about what was being developed.

In rebuttal in favor of the annexation and zoning, Mr. Segal spoke to the topography of the property and reiterated the limitations for its development; he stated that he believed this was a credible plan for development.

In rebuttal in opposition to the annexation and zoning, Mr. McLaughlin reiterated concerns about the impact the development could have on the roadway system and what he believed to be an inadequate buffer being proposed between the development and existing homes.

Councilmember Vaughan moved to close the public hearing for the annexation and zoning. The motion was seconded by Councilmember Bellamy-Small and adopted unanimously by voice vote of Council.

Presenting the staff recommendation, Mr. Hails stated that the development plan, including conditions contained in the proposed ordinance, was compatible with Comprehensive Plan recommendations. He stated that staff recommended approval.

Discussion was held with regard to the roadway system, the feasibility of connecting/extending roadways in the area, details with regard to the buffer location and requirements for this development, width requirement for area streets, future development in the area, etc.

Councilmember Gatten moved adoption of the ordinance annexing territory to the corporate limits—located at 1717 Guilford College Road—8.654 acres. The motion was seconded by Councilmember Vaughan; the ordinance received five affirmative votes on first reading as follows: Ayes: Bellamy-Small, Gatten, Holliday, Perkins and Vaughan. Noes: Burroughs-White, Carmany and Johnson.

The Mayor stated that because this ordinance had received a 5-3 vote in favor of the ordinance, it would be heard on second reading at the September 20, 2005 Council meeting.

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Councilmember Gatten moved adoption of the ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning Conditional District—RM-8 Residential Multifamily for property located on the east side of Guilford College Road between Jaykat Lane and Gardner Lane. The motion was seconded by Councilmember Vaughan; the ordinance received five affirmative votes on first reading as follows: Ayes: Bellamy-Small, Gatten, Holliday, Perkins and Vaughan. Noes: Burroughs-White, Carmany and Johnson.

The Mayor stated that because this ordinance had received a 5-3 vote in favor of the ordinance, it would be heard on second reading at the September 20, 2005 Council meeting.

After Councilmember Burroughs-White stated that she would not attend the September 20 meeting, some discussion was held with regard to continuing the two items to the October 4, 2005 meeting of Council. In response to Council inquiries, the City Attorney advised that Councilmember Phillips could review the tape of this meeting with regard to these two ordinances and vote at the September 20 Council meeting.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning property from RS-12 Residential Single Family to Conditional District—RM-12 Residential Multifamily for property located on the south side of Lees Chapel Road between Heritage Creek Way and Yanceyville Street. He noted that this matter had received a 5-1-1 vote by the Zoning Commission to recommend approval of the proposed zoning.

Mr. Hails reviewed the request and presented a map and photographs of the site and surrounding property. He reviewed the conditions contained in the proposed ordinance and stated that the Zoning Commission had recommended approval.

Mayor Holliday asked if anyone wished to be heard.

Jim Galyon, offices at 621 Eugene Street and representing Raymond Phillips, owner of the property, spoke in favor of the rezoning. Mr. Galyon spoke to the unusual configuration of the property, provided details with respect to other development in the area, reviewed development plans for the property, noted efforts to contact area property owners, and stated that in his opinion the development had addressed concerns of the adjoining property owner. Discussion was held with regard to the buffer requirement for the development.

There being no additional speakers, Councilmember Johnson moved to close the public hearing. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

Presenting the staff recommendation, Mr. Hails stated that the development plan was compatible with Comprehensive Plan recommendations and that staff recommended approval.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins and Vaughan. Noes: None.

05-181 AMENDING OFFICIAL ZONING MAP

SOUTH SIDE OF LEES CHAPEL ROAD BETWEEN HERITAGE CREEK WAY AND YANCEYVILLE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family to Conditional District – RM-12 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the southern right-of-way line of Lees Chapel Road, said point being the northwest corner of Lot 15, Guilford County Tax Map 429, Block 1; thence along the line of said Lot 15 in a southeasterly direction 212.09 feet to a point, said point being the southwest corner of said Lot 15; thence along the southern line of said Lot 15 in a northeasterly direction 117.88 feet to a point, said point being a common corner of said Lot 15 and Lot 26, Guilford County Tax Map 429, Block 1; thence along the southern line of said Lot 26 in a northeasterly direction 138.12 feet to a point, said point being the southeast corner of said Lot 26, said point also being in the western line of Lot 4, Guilford County Tax Map 429, Block 1; thence along the western line of said Lot 4 and the western line of Lots 5 and 6 in a southeasterly direction 368.02 feet to a point in the northern line of Lot 7, Guilford County Tax Map 429, Block 1; thence along said northern line of said Lot 7 in a westerly direction 264.50 feet to a point, said point being the northwest corner of said Lot 7, said point also being in the eastern line of the Dover Villas Townhouses; thence along the eastern line of the Dover Villas Townhouses in a northerly direction 212.13 feet to a point; thence continuing along said eastern line of the Dover Villas Townhouses in a northwesterly direction 254.28 feet to a point in the southern right-of-way line of Lees Chapel Road; thence along said southern right-of-way line of Lees Chapel Road in a northeasterly direction 31.45 feet to the point and place of BEGINNING.

Section 2. That the rezoning of RS-12 Residential Single Family to Conditional District – RM-12 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Limited to 24 townhome units designed for sale.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of adoption.

(Signed) Yvonne J. Johnson

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing McAdoo Avenue from East Lee Street northward for a centerline distance of approximately 78 feet.

Mayor Holliday asked if anyone wished to be heard.

There being no one desiring to speak to this matter, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, and Vaughan. Noes: None.

196-05 RESOLUTION CLOSING McADOO AVENUE FROM EAST LEE STREET NORTHWARD FOR A CENTERLINE DISTANCE OF APPROXIMATELY 78 FEET

WHEREAS, the owner of all of the property abutting both sides of McAdoo Avenue, from East Lee Street northward for a centerline distance of approximately 78 feet has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, September 6, 2005 at 5:30 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.
2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

McADOO AVENUE FROM EAST LEE STREET NORTHWARD FOR A CENTERLINE DISTANCE OF APPROXIMATELY 78 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

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Councilmember Vaughan removed Item #16 from the Consent Agenda for discussion.

Councilmember Gatten moved adoption of the Consent Agenda, as amended. The motion was seconded by Councilmember Bellamy-Small; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, and Vaughan. Noes: None.

05-182 AMENDING CHAPTER 2

AN ORDINANCE AMENDING CHAPTER 2 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ADMINISTRATION

Section 1. That Section 2-139 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 2-139. Same--Term of office.

The terms of office of the appointive members of a board or commission shall be three (3) years unless otherwise specified. Members shall not succeed themselves after serving a second full term without an intervening period of one (1) year, and an initial appointment for more than one-half of an unexpired portion of a term shall be considered as appointment for a full term.

Provided every member who is presently serving in his second or third consecutive term on a board or commission as of 1 October, 1987 shall be entitled to serve out his present term.

Section 2. That all laws and clauses of laws in conflict of the provision of this ordinance are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon adoption.

(Signed) Florence F. Gatten

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188-05 RESOLUTION AUTHORIZING AND APPROVING SALE OF LAND TO RW BUILDERS OF NC

WHEREAS, the City of Greensboro owns residual property located at 6 Oak Drive at Tax Map Number 1-32-898-39, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, RW Builders of NC has offered to purchase a portion of said property for the amount of \$704,000.00, which amount, in the opinion of the City Council is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$704,000.00 is hereby approved and the sale of land to RW Builders of NC is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Florence F. Gatten

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197-05 RESOLUTION AUTHORIZING AMENDMENT TO THE FIXED ROUTE, DEMAND RESPONSIVE AND FLEX SERVICES AND PARATRANSIT SERVICES AGREEMENT WITH ATC/VANCOM, INC.

WHEREAS, ATC/Vancom, Inc. has managed the GTA's Fixed Route, Demand Responsive and Flex Services, and Paratransit Services since 1999;

WHEREAS, on March 7, 2005, ATC/Vancom, Inc. entered into it's most recent Agreement with the City and the Greensboro Transit Authority to provide for the day-to-day management and operation of these services;

WHEREAS, this Agreement requires ATC/Vancom, Inc. to create a subsidiary and in the event the Agreement is terminated or expires, the GTA may purchase all stock of the subsidiary;

WHEREAS, Connex North America, Inc. based in Washington, D.C., is the American division of one of the world's leading transportation companies and is scheduled to purchase the stock of ATC/Vancom, Inc. on September 1, 2005;

WHEREAS, ATC/Vancom, Inc. has requested an amendment to it's Agreement by deleting all references to "subsidiary" and replacing such references to "contractor" and deleting the provision which reads "in the event the Agreement is terminated or expires, GTA may purchase all of the stock of subsidiary";

WHEREAS, it is the opinion of City Staff that since ATC/Vancom will continue to manage the day-to-day operation of the public transportation system as the employer of a unionized workforce, and all equipment used in providing said services is owned by the City of Greensboro, that the proposed amendment is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

THAT the aforementioned amendment to the Agreement between ATC/Vancom, Inc., the City and the Greensboro Transit Authority which provides services for the Fixed Route, Demand Responsive and Flex Services and Paratransit Services is hereby authorized.

(Signed) Florence F. Gatten

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198-05 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2003-37 WITH YATES CONSTRUCTION COMPANY, INC. FOR THE GENERAL ROADWAY, SIDEWALK AND UTILITY IMPROVEMENTS PROJECT

WHEREAS, Contract No. 2003-37 with Yates Construction Company, Inc. provides for general roadway, sidewalk and utility improvements throughout the City;

WHEREAS, this request is due to the addition of Battleground Avenue/Cotswold Terrace intersection for intersection, radius & traffic island improvements, thereby necessitating a change order in the contract in the amount of \$42,301.90.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Yates Construction Company for the general roadway, sidewalk and utility improvements is hereby authorized at a total cost of \$42,301.90, payment in the amount of \$4,000 from Account No. 402-4531-01.6014 Activity 03217 and in the amount of \$38,301.90 from Account No. 402-4531-01.6015 Activity 03218.

(Signed) Florence F. Gatten

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199-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1st meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(Signed) Florence F. Gatten

(A copy of the loans and grants is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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200-05 RESOLUTION AMENDING RANDLEMAN DAM WATER TREATMENT FACILITIES COST
SHARING RESOLUTION ADOPTED JULY 19, 2005

WHEREAS, on July 19, 2005 Council adopted a resolution approving agreement among governmental subdivisions establishing treated water allocation and the percentage of payment of debt service, to finance the construction of the Randleman Dam Water Treatment Plant water transmission lines, and its related facilities;

WHEREAS, the Piedmont Triad Regional Water Authority has requested that the resolution be amended to reflect the intent to begin construction of the treatment plant during the year 2007;

WHEREAS, it is requested that the fifth paragraph of the resolution adopted on July 19, 2005 be revised as follows:

“WHEREAS, the parties intend to enter into an additional Agreement pursuant to NCGS §162A-6(b) for the construction of the water treatment facility beginning in 2007, based upon the same raw water allocations contained in the 1987 Joint Governmental Agreement, as amended;”

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

THAT the resolution adopted July 19, 2005, approving agreement among governmental subdivisions establishing treated water allocation and the percentage of payment of debt service, to finance the construction of the Randleman Dam Water Treatment Plant water transmission lines, and its related facilities be amended to revise the fifth paragraph as outlined above.

(Signed) Florence F. Gatten

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Motion to approve minutes of regular meeting of 16 August 2005 and special meeting of 29 August 2005 was unanimously adopted.

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Mayor Holliday introduced an ordinance amending in the amount of \$113,835 FY 05-06 Street & Sidewalk Revolving Fund which had been removed from the Consent Agenda by Councilmember Vaughan.

In response to Councilmember Vaughan’s inquiry, the City Attorney advised Council action was required to use Red Light Camera program funds to meet the requirements in the agreement between the City and Guilford County Board of Education.

Councilmember Gatten moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan and adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins and Vaughan. Noes: None.

05-183 ORDINANCE AMENDING FY 05-06 STREET & SIDEWALK REVOLVING FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1:

That the FY 05-06 Street and Sidewalk Revolving Fund Budget of the City of Greensboro is amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
201-4501-01.5943	Awards, Condemnations, and Other Legal Fees	<u>\$113,835</u>
Total		\$113,835

And that this increase be financed by increasing the following FY05-06 appropriation:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
201-0000-00.8900	Appropriated Fund Balance	<u>\$113,835</u>
Total		\$113,835

Section 2:

That this ordinance become effective upon adoption.

(Signed) Florence F. Gatten

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The Mayor declared a recess at 7:24 p. m.

The meeting reconvened at 7:42 p.m. with all members of Council present, including Councilmember Phillips who had been excused earlier in the meeting.

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The Mayor introduced a resolution approving the proposed Street Collector Plan and noted that this matter was continued from the August 16, 2005 Council meeting.

Tyler Meyer, representing the Transportation Department, presented a PowerPoint presentation that detailed the purpose of the Greensboro Collector Street Plan, the planning process involved with its development, and future plans to implement the Plan through the Unified Development Ordinance and City roadway improvements on a strategic basis.

Council discussed various opinions and concerns about the Plan; i.e., the manner in which the public to be able to view the map of the collector streets, the fact that the map was flexible and Council could revisit and make changes, the purpose of collector streets to provide a connection between thoroughfares, the width of collector streets, the use of traffic-calming devices, the positions of other Guilford County governmental entities, and the desire to adopt the map with a disclaimer that the map and website to indicate that the map is not final, and is subject to change and is not legally binding.

After additional discussion, Councilmember Perkins moved to amend the resolution to add a disclaimer to the map and website to indicate that the map is not final, and is subject to change and is not legally binding. The motion was seconded by Councilmember Johnson. Councilmember Gatten moved adoption of the resolution with the amendment as offered by Councilmember Perkins. The motion was seconded by Councilmember Johnson; the amended resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

201-05 RESOLUTION APPROVING THE PROPOSED GREENSBORO COLLECTOR STREET PLAN

WHEREAS, the Unified Development Ordinance provides for the classification of collector streets, with associated right-of-ways, cross section and street construction requirements;

WHEREAS, this Ordinance provides for adoption of a Collector Street Plan by the Greensboro City Council to classify collector streets and to identify future collector street extension needs for implementation under the ordinance;

WHEREAS, the plan would function similarly to the Thoroughfare Plan, and would enhance the ability of the community to meet current and future access, mobility, and street connectivity and directly further the implementation of Comprehensive Plan policies;

WHEREAS, a disclaimer is to be added to the map and website to indicate that the map is not final, is subject to change and is not legally binding;

WHEREAS, the proposed Collector Street Plan fits into a larger area-wide plan developed under the auspices of the Greensboro Metropolitan Planning Organization and is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the proposed Greensboro Collector Street Plan presented herewith this day is hereby approved.
2. That a disclaimer be added to the map and website to indicate that the map is not final, and is subject to change and is not legally binding.

(Signed) Florence F. Gatten

(A copy of the PowerPoint presentation and the Greensboro Collector Street Map is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Mayor Holliday introduced a resolution adopting Supplemental Agreement Number 2 for the J. Douglas Galyon Depot. He thereupon introduced an ordinance amending in the amount of \$60,000 the MMTC-Rail Renovation STP99 Grant Budget for FY 2005-2006 so these matters could be discussed together.

After brief comments by Councilmember Phillips and Council discussion, Councilmember Burroughs-White moved adoption of the resolution adopting supplemental agreement number 2 for the J. Douglas Galyon Depot. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins and Vaughan. Noes: Phillips.

202-05 RESOLUTION ADOPTING SUPPLEMENTAL AGREEMENT NO. 2 FOR THE J. DOUGLAS GALYON DEPOT

WHEREAS, the North Carolina Department of Transportation has included in its Transportation Improvement Plan enhancement monies for improvements to the Southern Railway Passenger Station within the City;

WHEREAS, the City has requested additional funding for the Southern Railway Passenger Station and the Department has programmed funding in the 2002-2008 Transportation Improvement Program, as amended, for the Southern Railway Passenger Station under Project P-3801, Guilford County;

WHEREAS, under the proposed supplemental agreement and subject to the supplemental agreement provisions, the Department shall increase the reimbursement to the City to the extent of ninety percent (90%) of the approved eligible costs covered under this supplemental agreement from \$1,350,000 up to the maximum federal/state participation of \$1,404,000 into Provision 11;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

THAT, Project P-3801, Guilford County, is hereby formally approved by the City Council of the City of Greensboro and that the Mayor and Clerk are hereby authorized to execute the Agreement with the Department of Transportation.

(Signed) Claudette Burroughs-White

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Councilmember Carmany moved adoption of the ordinance amending in amount of \$60,000 the MMTC-Rail Renovation STP 99 Grant Budget for FY 2005-2006. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-184 ORDINANCE AMENDING THE MMTC-RAIL RENOVATION STP 99 GRANT BUDGET FOR FY 2005-2006

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation to the MMTC-Rail Renovation STP 99 Grant Budget be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
566-4511-02.6013	Building	<u>\$60,000</u>
Total		\$60,000

And, that this increase be financed by increasing the following revenue accounts:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
566-4511-02.7110	State Grant	\$54,000
566-4511-02.9564	Transfer from Transit Fund	<u>\$6,000</u>
Total		\$60,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

* * * * *

Mayor Holliday introduced the following order, a copy of which had been provided to each Councilmember, which was read by title and summarized by the City Attorney:

ORDER AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS, SERIES 2005 AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

BE IT ORDERED by the City Council of the City of Greensboro, North Carolina (the "City"):

Section 1. The City Council does hereby find and determine as follows:

(a) At a meeting held on August 16, 2005, the City Council authorized the filing of an application with the North Carolina Local Government Commission (the "Commission") requesting approval of the issuance, pursuant to the Trust Agreement, dated as of May 15, 1997 (the "Trust Agreement"), between the City and First-Citizens Bank & Trust Company, as trustee (the "Trustee"), of not exceeding \$20,000,000 Special Obligation Bonds, Series 2005 (the "Series 2005 Bonds") of the City for the purpose of providing funds, together with other available funds, to (i) refund all of the City's Special Obligation Bonds, Series 1997 (the "Series 1997 Bonds") that are stated to mature on June 1 in the years 2008 to 2013, inclusive, (ii) pay the cost of constructing and equipping a solid waste transfer station and related infrastructure (collectively, the "2005 Project"), (iii) pay a portion of the interest on the Series 2005 Bonds during the period of construction of the 2005 Project and (iv) pay certain costs incurred in connection with the issuance of the Series 2005 Bonds.

(b) The City, by resolution, also requested the Commission to sell the Series 2005 Bonds at private sale without advertisement.

(c) The Commission has approved the application of the City for the issuance of the Series 2005 Bonds in a principal amount not to exceed \$17,500,000 in accordance with G.S. 159I-30(i).

(d) The City has determined to issue the Series 2005 Bonds in an aggregate principal amount not to exceed \$17,500,000 for the purpose of providing funds, together with other available funds, to (i) refund all of the Series 1997 Bonds that are stated to mature on June 1 in the years 2008 to 2013, inclusive, (ii) pay the cost of constructing and equipping the 2005 Project, (iii) pay a portion of the interest on the Series 2005 Bonds until June 1, 2006 and (iv) pay certain costs incurred in connection with the issuance of the Series 2005 Bonds.

(e) The City proposes to sell the Series 2005 Bonds to Banc of America Securities LLC (the "Underwriter") pursuant to the provisions of a Bond Purchase Agreement (the "Bond Purchase Agreement"), at such prices as are determined by the Commission, subject to the approval of the City.

(f) There have been presented to the City Council at this meeting drafts of the following documents relating to the issuance and sale of the Series 2005 Bonds:

(1) Second Supplemental Trust Agreement, to be dated as of October 1, 2005 or such later date as shall be agreed upon by the parties thereto (the "Second Supplemental Agreement"), between the City and the Trustee;

(2) Escrow Deposit Agreement, to be dated as of October 1, 2005 or such later date as shall be agreed upon by the parties thereto (the "Escrow Deposit Agreement"), between the City and the Trustee, as Escrow Agent;

(3) Bond Purchase Agreement, to be dated as of the date of execution thereof, among the Underwriter, the Commission and the City; and

(4) Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the offering and sale of the Series 2005 Bonds.

(g) The issuance and sale of the Series 2005 Bonds in the manner provided in this Order is in the best interests of the city.

Section 2. Capitalized words and terms used in this Order and not defined herein shall have the same meanings given such words and terms in the Trust Agreement and the Second Supplemental Agreement.

Section 3. Pursuant to the provisions of Chapter 159I, as amended, of the North Carolina General Statutes (the "Act"), the City hereby authorizes the issuance of the Series 2005 Bonds in an aggregate principal amount not exceeding \$17,500,000. The Series 2005 Bonds shall mature at such times and in such amounts as shall be set forth in the Supplemental Agreement; provided, however, that the final maturity shall not extend beyond June 1, 2020.

The Series 2005 Bonds shall be issued as fully registered bonds in the denominations of \$5,000 or any whole multiple thereof and shall be issued pursuant to a book-entry system as provided in the Second Supplemental

Agreement. Interest on the Series 2005 Bonds shall be payable on June 1, 2006 and semiannually thereafter on June 1 and December 1 of each year until the principal of the Series 2005 Bonds is fully paid.

Section 4. The Series 2005 Bonds shall be subject to optional redemption at the times, upon the terms and conditions, and at the prices as shall be set forth in the Trust Agreement and the Second Supplemental Agreement; provided, however, that no redemption price shall exceed 102% of the principal amount of Series 2005 Bonds to be redeemed.

Section 5. The proceeds of the Series 2005 Bonds shall be applied as provided in Section 204 of the Second Supplemental Agreement.

Section 6. The Series 2005 Bonds, together with any unrefunded Series 1997 Bonds and any Parity Indebtedness hereafter incurred pursuant to the provisions of the Trust Agreement, shall be secured on a parity basis by a pledge, charge and lien upon the Obligated Revenues and the money and Investment Obligations held in the various accounts and subaccounts of the Bond Fund in the manner and to the extent provided in the Trust Agreement and the Second Supplemental Agreement.

Section 7. The proposal set forth in the Bond Purchase Agreement submitted by the Underwriter offering to purchase the Series 2005 Bonds at the aggregate purchase price and bearing interest at the rates determined by the Commission and approved by the City as hereinafter provided, such purchase price and interest rates not to result in a true interest cost greater than 4.70% per annum or an effective interest cost greater than 4.80% per annum, is hereby approved. The Commission is hereby requested to sell and award the Series 2005 Bonds to the Underwriter on behalf of the City, subject to the approval of the City, in accordance with the terms and provisions set forth in the Bond Purchase Agreement. The Finance Director is hereby designated to approve on behalf of the City the sale of the Series 2005 Bonds to the Underwriter at such interest rates, for such purchase price and upon such terms and conditions as the Finance Director shall determine, subject to the provisions of this Section. The Finance Director is hereby authorized and directed in the name and on behalf of the City to execute and deliver the Bond Purchase Agreement in substantially the form presented at this meeting, together with such changes, additions and deletions as the Finance Director, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 8. The forms, terms and provisions of the Second Supplemental Agreement and the Escrow Deposit Agreement are hereby approved, and the Mayor and the City Clerk are hereby authorized and directed to execute the Second Supplemental Agreement, and the Interim City Manager or the Finance Director is hereby authorized and directed to execute the Escrow Deposit Agreement, each in substantially the form presented at this meeting, together with such insertions, modifications and deletions as the Mayor and the City Clerk or the Interim City Manager or the Finance Director, as the case may be, with the advice of counsel, may deem necessary and appropriate, including, without limitation, insertions, modifications and deletions necessary to incorporate the final terms of the Series 2005 Bonds as set forth in the Bond Purchase Agreement and to incorporate certain terms and provisions required by the rating agencies; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the respective forms and contents thereof.

Section 9. The Preliminary Official Statement is hereby approved. The City hereby authorizes the use and distribution of the Preliminary Official Statement in substantially the form presented at this meeting, together with such changes, modifications and deletions as the Finance Director, with the advice of counsel, may deem necessary and appropriate. The City authorizes and consents to the preparation and distribution of a final Official Statement, in substantially the form of the Preliminary Official Statement, together with such changes as are necessary to reflect the final terms of the Series 2005 Bonds. The Interim City Manager or the Finance Director is hereby authorized and directed to execute and deliver the final Official Statement, in substantially the form of the Preliminary Official Statement, together with such changes, specifications, and deletions as the Interim City Manager or the Finance Director, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 10. The Mayor, the Interim City Manager, the Finance Director, the City Attorney and the City Clerk, or any of them or their deputies, are authorized and directed (without limitation except as may be expressly

set forth in this Order) to take such action and to execute and deliver such certificates, agreements, instruments or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this Order, the Trust Agreement, the Second Supplemental Agreement, the Escrow Deposit Agreement and the Bond Purchase Agreement.

The officers of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of this Order, the Series 2005 Bonds, the Trust Agreement, the Second Supplemental Agreement, the Escrow Deposit Agreement and the Bond Purchase Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 11. The issuance and sale of the Series 2005 Bonds are hereby approved, subject to the terms and conditions set forth in this Order.

Section 12. This Order shall take effect immediately upon its passage.

Thereupon the City Attorney stated that she had approved as to form the foregoing order.

Upon motion of Councilmember T. Dianne Bellamy-Small, seconded by Councilmember Sandra G. Carmany, the foregoing order entitled: "ORDER AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS, SERIES 2005 AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH" was passed by roll call vote as follows:

Ayes: Councilmembers Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.

Noes: None.

The Mayor thereupon announced that the order entitled: "ORDER AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS, SERIES 2005 AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH" had passed by a vote of 9 to 0.

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The Interim City Manager requested the Council to adjourn to closed session at the end of this meeting to discuss a real estate matter.

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Council spoke to items and events of interest to the community, including a newspaper article about the War Memorial Stadium and the ongoing use of that facility, Police presence in the Glenwood Neighborhood, etc.

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Councilmember Vaughan stated that as Council's liaison to the Parks and Recreation Commission, he had recently sent a memo to Council providing an update with regard to the activities of the Commission.

After brief comments by Mayor, the Interim City Manager reviewed what he understood to be Council's wishes that in the future, staff should recommend to citizens that they present issues of concern or interest, similar to the concern expressed earlier in the meeting about the use of swim facilities, directly to the Parks and Recreation Commission before bringing the matters to the City Council.

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Councilmember Johnson moved that Willie Taylor be appointed to serve a three-year term on the Bicentennial Commission. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Johnson spoke to the volunteer citizens and groups who were involved with preparing to provide assistance to evacuees from Hurricane Katrina expected to arrive in Greensboro in the near future.

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Expressing concerns with regard to the level of violence in District 1, Councilmember Bellamy-Small spoke to the need to address this problem and offered her suggestions as to how this might be accomplished. Councilmember Burroughs-White also expressed concern with criminal activity in District 2.

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Councilmember Burroughs-White added the names of Indira Linday and Maxine Bateman to the boards and commissions data bank for consideration for future service on the Human Relations Commission.

Councilmember Burroughs-White added the name of Julie Lapham to the boards and commissions data bank for consideration for future service on the Commission on the Status of Women.

Councilmember Bellamy-Small moved that Ronald Wilson be reappointed to serve an additional term on the Human Relations Commission; this term will expire 15 August 2008. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

Councilmember Burroughs-White noted concerns in the 2700 block of McConnell Road with regard to illegal dumping of trash, a home that had been flooded, etc.; she advised contact information would be provided to the Interim City Manager.

Councilmember Burroughs-White noted that she would participate in Greensboro's Fourth Interfaith Mission to visit Israel and would be out of the City for a period of time.

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Councilmember Carmany moved that Susan Mills be reappointed to serve an additional term on the Community Resource Board; this term will expire 15 August 2007. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

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Councilmember Perkins moved that Marsh Prause be appointed to serve a three-year term on the Bicentennial Commission. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Gail Barger be appointed to serve a three-year term on the Bicentennial Commission. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Richard Beard be reappointed to serve an additional term on the Bryan Park Golf Commission; this term will expire 1 February 2008. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Rhonda Hensley be reappointed to serve an additional term on the Historic Preservation Commission; this term will expire 15 August 2008. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that William Frank be reappointed to serve an additional term on the Greensboro Transit Authority; this term will expire 15 August 2008. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Karen Neill be reappointed to serve an additional term on the Advisory Commission on Trees; this term will expire 15 August 2008. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Emily Sandin be reappointed to serve an additional term on the Advisory Commission on Trees; this term will expire 15 August 2008. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Jim Galyon be reappointed to serve an additional term on the War Memorial Commission; this term will expire 15 August 2008. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Councilmember Tom Phillips be reappointed to serve an additional term on the Piedmont Triad Regional Water Authority; this term will expire 30 September 2008. The motion was seconded by Councilmember Gatten and adopted by voice vote of Council.

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Councilmember Phillips moved that William Hammer be appointed to serve a three-year term on the Bicentennial Commission. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Phillips added the name of Bob Winslow to the boards and commissions data bank for consideration for future service on the Human Relations Commission.

Councilmember Phillips questioned why an item regarding asbestos removal was not on the agenda for Council's consideration. After a brief explanation by Assistant City Manager Brown, Councilmember Phillips expressed his opinion that this item should be placed on the September 20, 2005 agenda; he also requested the staff to contact Council if requested agenda items were delayed.

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Councilmember Vaughan added the name of A. Robinson Hassell to the boards and commissions data bank for consideration for future service on the Bicentennial Commission.

Councilmember Vaughan added the name of Rosalie Brewer to the boards and commissions data bank for consideration for future service on the Bicentennial Commission.

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After Councilmember Perkins introduced the subject of four-year terms for the City Council, he requested staff to survey other municipalities with regard to term limits, etc. The Mayor stated that majority of Council appeared to have an interest in receiving this information. The City Attorney advised that this change would require action by the General Assembly.

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Councilmember Perkins spoke to concerns of a builder involved with the development of the Tannenbaum property whose plan had not been approved. He reviewed various requirements aspects of the project and staff requirements, including the abutment and use of Shamrock Court, a GDOT requirement for a t-turnaround, the ability of the solid waste staff to not approve the project, etc. He spoke to other similar developments on which staff

had not placed the same requirements. Councilmember Perkins expressed his opinion that the requirements were a waste of the developer's money and would result in a significant loss of tax revenues for the City.

Advising that she was not aware of this issue, the City Attorney stated this matter should first go to the Planning Board; she cautioned that if staff bypassed the City process for one citizen, they would have to do the same for all similar requests. The Interim City Manager and the City Attorney stated that the ordinance would be reviewed to determine whether this involved ordinance requirements or whether the Manager had the authority to make a decision. In response to Council inquiries, the City Attorney advised Council could take action to change the current ordinance. Interim City Manager Johnson and the City Attorney Miles advised that Council would be notified of their findings.

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Councilmember Phillips reviewed the current process involved when comprehensive plan amendments need to be made that required a joint meeting of the Zoning Commission and Planning Board. Speaking to his opinion that the process needed to be shortened, he suggested that in those instances when a zoning case needed a plan amendment, it should go to the Zoning Commission and then directly to Council for consideration which would eliminate the joint meeting. It appeared to be the consensus of Council to support this action. After he requested the City Attorney to bring this matter to Council at the next regular meeting, the City Attorney advised that because the item required a public hearing notice, the item would be placed on the September 20 or October 4 meeting, depending upon advertising requirements.

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Councilmember Gatten moved that Council schedule a Special Meeting at 9:15 a.m., September 9, 2005, in the Council Chamber for the purpose of adjourning to Closed Session to discuss a Personnel Matter. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

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Both the Mayor and Interim City Manager Johnson spoke to the preparation and planning that had taken place with regard to the expected arrival in Greensboro of evacuees from New Orleans. They commended and expressed appreciation to City staff, Greensboro agencies and volunteers, and other involved citizens for their efforts in making the Greensboro Coliseum ready for the evacuees' arrival in our City.

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Councilmember Johnson moved that the City Council adjourn to Closed Session for the purpose of discussing a Real Estate Matter. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 8:50 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK
